

# **CITY OF BRIGHTON PLANNING COMMISSION**

## **MINUTES**

**July 12, 2016**

**Approved as written**

### **I. CALL TO ORDER**

**Acting Chairman Maslanik called the meeting to order at 6:06 p.m.**

**Deputy City Clerk, Patricia Leyva, conducted the Swearing in Oath for Commissioner Maslanik (Ward III) and Commissioner Baird (Alternate).**

### **II. ROLL CALL**

Roll call was taken with the following Commissioners in attendance: Fidel Balderas Archie Demarest, Chris Maslanik and Farid Jalil.

Alternates, Philip Covarrubias and Kevin Baird were also present and were not seated as voting members.

Matt Johnston was excused from attendance.

Commission seated Chris Maslanik as acting Chairman.

**STAFF PRESENT:** Jason Bradford, Planning Manager; Lauren Simmons, Senior Planner, Michael Ellsberry, Development Engineer; Christopher Ernst, City Counsel; Diane Phin, Commission Secretary.

### **III. MINUTES OF PREVIOUS MEETINGS**

Minutes from the June 14, 2016 regular Planning Commission meeting were approved as presented.

**Motion by Commissioner Balderas**

**Second by Commissioner Covarrubias**

**Voting Aye: All Present**

### **IV. PUBLIC INVITED TO BE HEARD ON ITEMS NOT ON THE AGENDA**

None recognized

### **V. PUBLIC HEARING ITEMS**

1. Orchard Subdivision – Preliminary Plat – Lauren Simmons presenting

#### **Orchard Subdivision, Preliminary Plat**

#### **Chair invited Staff to present, summarized:**

Ms. Simmons confirmed legal publication and posting were completed for this hearing. She entered the staff report into public record and discussed the item as outlined in the staff report. Ms. Simmons stood ready for questions.

#### **Chair called for questions from Commission to Staff, summarized:**

- Commission asked for the definition of the tract table. Staff explained the table on the plat is incorrect and this is one of the conditions to be included on the resolution for

## **Planning Commission Minutes**

July 12, 2016

Page 2

---

approval. Corrections need to be made showing what the tracts will be used for and who will be in charge of maintenance. She said the zoning is not relevant to the preliminary plat.

### **Chair invited the Applicant to address Commission, summarized:**

Jac Cuney, 875 Rose Ct., Brighton, CO 80601

He is representing the applicant and told Commission he would take questions.

### **Chair called for questions from Commission to the Applicant, summarized:**

- Commission asked why they needed to divide the property. Mr. Cuney stated there is more land than the church needs. The intent is to sell some of these lots for future development. He said the property is zoned R-2 and C-2 and the process for marketing it has just begun.
- Doug Dameron, Pastor for the Orchard Church, Applicant, 12471 E. 106<sup>th</sup> Place, Commerce City, CO 80022.  
Pastor Dameron explained that by selling several lots of the thirty-eight acres, they can recover some of their investment as they only need nine to twelve acres for the church.
- Discussion ensued on traffic impact and other items. Mr. Cuney stated the traffic impact study has been done and turned in to the City. He stated that during Sunday services there would be less traffic than the existing, regular traffic during the week. He said he does not anticipate the full access into the church being altered. It was clarified that Tract A is the water infiltration area for the whole subdivision and meets State requirements.
- Mr. Cuney said that currently there is a trail and that will be expanded. At this time, they are in discussions about possible curb and gutter being constructed.
- Pastor Dameron said it is not in the long range plan to have a school at this site. He also stated that bible studies take place at church member's homes during the week. There are no official services at the church during the week.
- Commission studied the tracts on the plat and discussed who would maintain them. Mr. Cuney introduced Jason Declaire, R&R Engineering, 5143 Newton St., Denver, CO 80204. Mr. Declaire confirmed Tract A is drainage, and Tracts B, C and D would be access. There is no road in Tract D, however there could be access to 120<sup>th</sup> Avenue in the future.  
Mr. Cuney confirmed that whoever becomes the owner of the lots, would have the maintenance responsibilities.

### **Chair called for the public to address Commission as Proponents and/or Opponents to this application, summarized:**

Norma Garnica, Opponent, 12297 Levi Circle, Henderson, CO 80640

Ms. Garnica stated her yard backs up to Lot 5 and she has a million dollar view from her peaceful back yard. She is concerned about what size lots and how many houses will be built blocking her view. Mr. Cuney said that at this time they do not know. They would need to sell these lots first to know who will own them and what they plan to do there. Ms. Garnica also mentioned that she and her neighbors are on wells and wondered if their water will be affected by new development. The applicant stated their wells should not be affected as the church will be on city water.

**Chair closed the public portion at 6:50 p.m.**

### **Chair called for discussion among Commission, summarized:**

None recognized

Counsel stated the resolution will be re-drafted with the conditions regarding the tractable as discussed.

**Motion to forward to City Council with a recommendation of approval of the application for the Orchard Subdivision Preliminary Plat, subject to the following conditions:**

**1. The Applicant shall amend the preliminary plat to address the concerns of the Development Review Committee regarding the street design, utilities, existing structures, well status, abandonment of non-City easements, and minor typographical errors, as well as any specific concerns outlined by the Planning Commission, prior to any final plat review by the City Council; and**

**2. Any Final Plat Application for all or a portion of the subject Property shall be consistent in all respects with the Preliminary Plat, as approved herein.**

**Motion by Commissioner Balderas**

**Second by Commissioner Demarest**

**Voting Aye: All Present**

**VI. OLD BUSINESS**

Counsel stated he and staff will be scheduling a study session for a training refresher for the Commissioners. Discussion ensued on a possible date for this training in August.

**VII. NEW BUSINESS**

None

**VIII. REPORTS**

Mr. Bradford said that the City of Brighton has been recognized for its work on the District Plan and will be presented an award at the APA State Conference in Colorado Springs. Mr. Bradford thanked Commission for their work on it, and told the Commissioners they are invited to attend the conference.

**IX. ADJOURNMENT**

**Motion to adjourn at 7:06 p.m.**

**Motion by Commissioner Balderas**

**Second by Commissioner Demarest**

**Voting Aye: All Present**